



# SALT LAKE COUNTY DISCLOSURE STATEMENT

**TO:** ALL SALT LAKE COUNTY OFFICERS, VOLUNTEERS, BOARD MEMBERS, AND EMPLOYEES (COVERED PERSONS\*)

**FROM:** OFFICE OF THE DISTRICT ATTORNEY FOR SALT LAKE COUNTY

**SUBJECT:** STATUTORY ETHICAL AND DISCLOSURE REQUIREMENTS

All Salt Lake County covered persons\* must be aware of and abide by two significant statutes in Utah law which prohibit, or require disclosure of, certain actual or potential conflicts of interest between public duties and private business interests, if any. The Utah Public Officers' and Employees' Ethics Act (§§ 67-16-1, et seq., U.C.A., 1953 as amended) and the County Officers and Employees Disclosure Act (§§ 17-16a-1, et seq., U.C.A., 1953 as amended) set the following requirements:

## **PROHIBITED ACTS:**

1. No covered person shall (1) use a County position\* for private advantage by revealing confidential, controlled, private or protected information gained through that position, (2) use his or her County position to secure special privileges, or (3) accept other employment that would reasonably be expected to interfere with the ethical performance of his or her public duties.
2. No covered person shall knowingly receive, accept, take, seek or solicit, directly or indirectly, any gift or loan for him or herself or another if: (1) the gift or loan would reasonably tend to influence him or her in the performance of official duties, or (2) the donor has been, is, or may become involved in any official county business. Exceptions to subparagraph (2) are non-money gifts of a value less than \$50.00, provided such gifts are accepted on an occasional basis; public awards; bona fide business loans; or campaign contributions actually used in a political campaign. Paid county officers and employees are prohibited from accepting any gifts of more than nominal value or which violate the Salt Lake County Ethics Code (Ordinance sections 2.07.203 through 2.07.207).
3. No covered person, acting in a county position, may accept payment for helping a private person or business in any transaction with the county. Payment may be accepted if the transaction is not in the covered person's official capacity and disclosure is made as set forth hereafter.
4. A covered person may not be involved with any private business which is regulated by the county, may not be involved in any transaction between their private business interests and the county, and may not be involved in any other actual or potential conflict of interest unless the nature and extent of the private business interest(s) are disclosed as explained below.

## **DISCLOSURE:**

1. Any covered person who receives payment for helping a private person or business in a transaction with the county must disclose the payment.
2. Any covered person involved in a private business which is subject to county regulation must disclose that involvement. If the regulation is made by the agency or board of which the officer or employee is a member, disclosure must be made at each meeting in which the officer's or employee's business is discussed. Such oral disclosures shall be made part of the minutes of the meeting.
3. Any covered person involved with a private business that does or anticipates doing business with the county must disclose that involvement.
4. Any covered person who has a personal or business interest of any kind which raises an actual or potential conflict of interest with his or her position must disclose that interest.
5. All written disclosures must be sworn statements containing the information required above and be in a form similar to that on the reverse side of this document. All such statements are public records, open to public inspection. All disclosures must be made as follows: Orally, in any meeting of a county agency, board or division where a transaction is discussed involving a matter in which the covered person has an interest; and again in writing when the conflict arises. The general written disclosure must also be re-filed every January of each year that the outside interest persists and must be filed through the covered person's chain of command to the immediate supervisor, volunteer or community liaison, division director, department head or elected official, district attorney's office and county council.

Violation of these provisions may subject the covered person to disciplinary action, in addition to the possibility of criminal prosecution. Any violations will be thoroughly investigated and prosecuted. Please be aware that this document is a shortened and simplified statement of the legal requirements involved in this area. **YOUR CONDUCT WILL BE GOVERNED BY THE LAW, NOT THIS REVIEW.** Feel free to direct any questions regarding the law's ethical and disclosure requirements to the Civil Division of the Office of the District Attorney.

*\*See definition of "covered person" and "position" on reverse side.*

